

# **EXHIBIT A**

**UNIFORM STATUTORY FORM  
DURABLE POWER OF ATTORNEY  
(California Probate Code Section 4401)**

**JAMES LEON HOLLAND**

**NOTICE:** THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. THEY ARE EXPLAINED IN THE UNIFORM STATUTORY FORM POWER OF ATTORNEY ACT (CALIFORNIA PROBATE CODE SECTIONS 4400-4465). IF YOU HAVE ANY QUESTIONS ABOUT THESE POWERS, OBTAIN COMPETENT LEGAL ADVICE. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL AND OTHER HEALTH-CARE DECISIONS FOR YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

I, JAMES LEON HOLLAND, appoint SUSAN LOREE HOLLAND - HEWITT as my agent (attorney-in-fact) to act for me in any lawful way with respect to the following initialed subjects:

TO GRANT ALL OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF (N) AND IGNORE THE LINE IN FRONT OF THE OTHER POWERS.

TO GRANT ONE OR MORE, BUT FEWER THAN ALL, OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF EACH POWER YOU ARE GRANTING.

TO WITHHOLD A POWER, DO NOT INITIAL THE LINE IN FRONT OF IT. YOU MAY, BUT NEED NOT, CROSS OUT EACH POWER WITHHELD.

**INITIAL**

- \_\_\_\_\_ (A) Real property transactions.
- \_\_\_\_\_ (B) Tangible personal property transactions.
- \_\_\_\_\_ (C) Stock and bond transactions.
- \_\_\_\_\_ (D) Commodity and option transactions.
- \_\_\_\_\_ (E) Banking and other financial institution transactions.
- \_\_\_\_\_ (F) Business operating transactions.
- \_\_\_\_\_ (G) Insurance and annuity transactions.
- \_\_\_\_\_ (H) Estate, trust, and other beneficiary transactions.
- \_\_\_\_\_ (I) Claims and litigation.
- \_\_\_\_\_ (J) Personal and family maintenance.
- \_\_\_\_\_ (K) Benefits from social security, Medicare, Medicaid, or other governmental programs or civil or military service.

\_\_\_\_ (L) Retirement plan transactions.  
\_\_\_\_ (M) Tax matters.  
J L H(N) ALL OF THE POWERS LISTED ABOVE.

***YOU NEED NOT INITIAL ANY OTHER LINES IF YOU INITIAL LINE (N).***

**SPECIAL INSTRUCTIONS:**

*ON THE FOLLOWING LINES YOU MAY GIVE SPECIAL INSTRUCTIONS LIMITING OR EXTENDING THE POWERS GRANTED TO YOUR AGENT: SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.*

*UNLESS YOU DIRECT OTHERWISE ABOVE, THIS POWER OF ATTORNEY IS EFFECTIVE IMMEDIATELY AND WILL CONTINUE UNTIL IT IS REVOKED.*

*This power of attorney will continue to be effective even though I become incapacitated.*

*STRIKE THE PRECEDING SENTENCE IF YOU DO NOT WANT THIS POWER OF ATTORNEY TO CONTINUE IF YOU BECOME INCAPACITATED.*

**EXERCISE OF POWER OF ATTORNEY WHERE MORE THAN ONE AGENT DESIGNATED:**

*If I have designated more than one agent, the agents are to act separately.*

*IF YOU APPOINTED MORE THAN ONE AGENT AND YOU WANT EACH AGENT TO BE ABLE TO ACT ALONE WITHOUT THE OTHER AGENT JOINING, WRITE THE WORD "SEPARATELY" IN THE BLANK SPACE ABOVE. IF YOU DO NOT INSERT ANY WORD IN THE BLANK SPACE, OR IF YOU INSERT THE WORD "JOINTLY", THEN ALL OF YOUR AGENTS MUST ACT OR SIGN TOGETHER.*

*If my attorney-in-fact shall for any reason fail to qualify or cease to act as my attorney-in-fact, I herein nominate and appoint:*

FIRST ALTERNATE: EDWARD LEE HEWITT

*I agree that any third party who receives a copy of this document may act under it. Revocation of the power of attorney is not effective as to a third party until the third party has actual knowledge of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.*

*I revoke all previously executed Durable Powers of Attorney.*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

Signed this 26 day of SEPTEMBER, 2019.



JAMES LEON HOLLAND

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )

COUNTY OF KERN )

On September 26, 2019 before me, Annette Price, Notary Public, personally appeared JAMES LEON HOLLAND, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

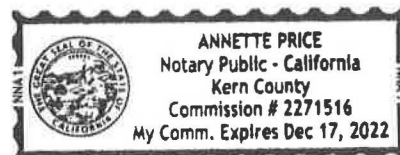
I certify under PENALTY of PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal



Signature

(Seal)





## **EXHIBIT "A"**

### **SPECIAL INSTRUCTIONS TO STATUTORY DURABLE POWER OF ATTORNEY**

**The powers granted in the Durable Power of Attorney are extended to grant the following powers:**

1. Generally to do, execute, and perform any other act, deed, matter, or thing, that in the opinion of the agent ought to be done, executed, or performed in conjunction with this power of attorney, of every kind and nature, as fully and effectively as the principal could do if personally present. The enumeration of specific items, acts, rights, or powers in this instrument does not limit or restrict, and is not to be construed or interpreted as limiting or restricting, the general powers granted to the agent except where powers are expressly restricted.
2. The Attorney-In-Fact (agent) is authorized at my expense to take whatever action is necessary to implement these provisions including but not limited to filing an action at law against any person who arbitrarily refuses to honor this power of attorney.
3. Any third party from whom the agent may request information, records, or other documents regarding the principal's personal affairs may release and deliver all such information, records, or documents to the agent. The principal hereby waives any privilege that may apply to release of such information, records or other documents.
4. The agent's signature under the authority granted in this power of attorney may be accepted by any third party or organization with the same force and effect as if the principal were personally present and acting on the principal's own behalf. No person or organization who relies on the agent's authority under this instrument shall incur any liability to the principal, the principal's estate, heirs, successors, or assigns, because of reliance on this instrument.
5. The agent is authorized to create, execute and deliver trust agreements for the benefit of the principal, principal's spouse and/or issue, and/or beneficiary(s) of the principal's estate, in accordance with principal's estate plan; to disclaim trust assets or other assets to be received by the principal; to fund with the assets of the principal any existing or future trust of which the principal is the Settlor or co-Settlor; and to amend, revoke in whole or in part, or terminate any trust, provided that such amendment, revocation in whole or in part, or termination does not materially alter the ultimate disposition of my estate as established under an existing Will or the substantive provisions of a trust, and so long as all such acts do not cause adverse tax consequences for the principal's estate or the agent's estate.
6. In the event the principal creates a Revocable Living Trust(s), he/she authorizes my Attorney-In-Fact to withdraw his/her separate property and/or his/her interest in any community property from any Trust(s), or utilize any other assets of the principal for the specific purpose of making gifts, in accordance with the principal's estate plan, that will qualify for the Federal Gift Tax Annual Exclusion, or any other Estate Planning Purpose that would be for the mutual benefit of the principal and his/her spouse or beneficiary(s) of my estate, or to continue any gifting program previously established by the principal.
7. In the event the principal is institutionalized, or their Attorney-in-fact reasonably believes there is a possibility the principal may be institutionalized in a skilled nursing

facility, intermediate care facility, or any other medical institution because of any illness, physical or mental condition the principal may have acquired that may require such care, the Attorney in fact is authorized to gift, transfer, or convey, any property owned by the principal, to take full advantage of the Medicare Catastrophic Coverage Act of 1988 (MCCA, 42 USC, Section 139 6R-5 et seq). The Attorney-in-fact is directed to examine the exempt and non-exempt assets of the principal, and to consider any transfers that will be most beneficial to the principal and his/her spouse and their estate plan. The Attorney-in-fact is authorized to execute a declaration on behalf of the principal stating the principal's intent to return to his or her home irrespective of the present domicile; also the possibility of converting (transmuting) assets to the name of the healthy (community) spouse should be considered for maximum preservation of the principal's assets.

(a) I specifically authorize my attorney-in-fact to take necessary and appropriate steps to provide for the financial support of my spouse. I strongly desire that my spouse endure no undue hardship because of the economic burdens imposed on my spouse because of my condition. Accordingly, my attorney-in-fact may, in his or her limited discretion, take the following steps:

(1) Convey/transfer/gift (transmute) any portion of my share of my community property or any portion of my separate property to my spouse to provide for their support and maintenance, even if my spouse would then hold assets that are in excess of the amount allowed by state and federal laws defining the allowable Community Spouse Resource Allowance. This transfer is authorized if my spouse is also named as my attorney-in-fact.

(2) In my attorney-in fact's discretion, to apply any or all of my income to or transfer any or all of my income to my spouse to ensure their receipt of the maximum income allowed to my spouse on a monthly basis by state and federal law if I am ever eligible or may be eligible for the Medi-Cal Program or any other form of public benefits. My primary desire in this respect is the support and comfort spouse, and I further authorize that transfer of my assets to my spouse so as to allow her additional income (from interest, dividends, etc.) to ensure her receipt of the maximum monthly income allowed by federal and state law to a "community spouse". This transfer is authorized if my spouse is also named as my attorney-in-fact.

(b) I specifically authorize the agent approved herein named as my attorney-in-fact, at the agent's sole discretion, to take necessary and appropriate steps to convey/transfer/gift any portion of my assets to the beneficiaries (including my attorney-in-fact) that have been designated in my current estate plan.

(1) In the event I have created a Revocable Living Trust, my agent appointed is authorized, at the agent's sole discretion, to withdraw from said Living Trust any portion of Trust assets to convey gifts to the beneficiaries of my trust and estate in amounts and to any beneficiaries at their complete and total discretion, even if a beneficiary is my attorney in fact and it is a gift to themselves. It is the intent of the principal that the agent convey portions of the principal's estate so that as much of the principal's assets may be preserved for the beneficiaries of their estate plan if the principal should require skilled nursing care, in order to qualify



the principal for Medi-Cal.

(2) It is the principal's intent that any such transfers for Medi-Cal planning shall be at the sole discretion of the agent appointed herein and the agent is instructed to at all times consider the best interest of the principal prior to any conveyances.

8. Any gifts or transfers completed to the attorney in fact by the attorney in fact as the agent as authorized herein shall not be considered a breach of their fiduciary duty as my attorney in fact.

9. Retirement Plans. I give my attorney in fact the power to take any actions she/he believes necessary or desirable in order to maintain or participate in any retirement plan in which I have an interest when this Power is executed, or in which I later acquire an interest, including the power to select the manner in which benefits under the plan are to be paid; designate beneficiaries under the plan, including the power to designate herself/himself as the beneficiary; change beneficiaries on individual retirement accounts and waive my spousal interest in individual retirement accounts or plans held by my spouse; make voluntary contributions to the plan; make rollovers from one plan into another; to the extent authorized by the plan, borrow from the plan and sell the assets of the plan; to transfer assets in individual retirement accounts or plans to other institutions designated by the attorney in fact; and perform any other acts described in California Probate Code Section 4452, or its successor, except those acts that conflict with or are limited by a more specific provision in this Power.

10. This power of attorney shall not be affected by the principal's subsequent disability or incapacity.

11. The principal declares that the principal understands the importance of this durable power of attorney, recognizes that the agent is granted broad power to hold, administer and control the principal's assets, and recognizes that this Durable power of attorney will become effective immediately on execution and will continue indefinitely until specifically revoked or terminated by death, even if the principal later becomes incapacitated.

12. The attorney-in-fact is authorized to nominate a guardian or conservator for the person and/or estate.

13. If the First Appointee named herein shall be unable or unwilling to hold the powers set forth herein, then the Successor Appointee shall serve in the order named. The Successor Appointees shall only act if the immediate predecessor fails to qualify or ceases to act. If at any time the then-acting Appointee or Successor Appointee of this instrument is the last Successor Appointee, then he or she shall have the power to appoint a next Successor Appointee to serve as the principal's true and lawful attorney-in-fact for the principal and in the principal's name, place and stead.

14. The appointee shall "sign" the principal's name as follows:

"(Principal's name signed) by (appointee) his or her attorney in fact".  
Example: JOHN DOE (signed) by JANE DOE his attorney in fact.